

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD EUGENE JAMES,

Plaintiff,

v.

SACRAMENTO COUNTY SHERIFF  
DEPARTMENT, et al.,

Defendants.

No. 2:23-cv-00853-DC-DMC (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
CERTAIN CLAIMS AND DEFENDANTS

(Doc. No. 19)

Plaintiff Ronald Eugene James is a county jail inmate proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 14, 2024, the assigned magistrate judge screened Plaintiff's first amended complaint and found that "Plaintiff states cognizable retaliation claims in Claim I against Defendants Powell and Ahmed, who allegedly retaliated against Plaintiff for seeking redress through the inmate grievance system," and "cognizable deliberate indifference claims in Claim IV against Defendants Richardson and Banks for allegedly ignoring Plaintiff's lower-bunk medical restriction." (Doc. No. 16 at 5.) The magistrate judge further concluded that Plaintiff had failed to state any other cognizable claims against these Defendants, and that Plaintiff had failed to state any cognizable claims against the other named defendants (Defendants Sacramento County Sheriff's Department; County of Sacramento Board of Supervisors; Deputy Friedrichs;

1 Lieutenant Braden Culp; Deputy Zakrzewski; Deputy Bonde; and Records Officer Payne). (*Id.* at  
2 5–11.) However, the magistrate judge concluded that the granting of leave to amend would not be  
3 futile because it is possible that Plaintiff may be able to cure the deficiencies by amending the  
4 complaint. (*Id.* at 11.) Thus, the magistrate judge provided that Plaintiff may file a second  
5 amended complaint within thirty days from the date of service of that order. (*Id.* at 12.) The  
6 magistrate judge warned Plaintiff that “if no amended complaint is filed within the time allowed  
7 therefor, the court will issue findings and recommendations that the claims identified herein as  
8 defective be dismissed.” (*Id.*) Plaintiff did not thereafter file a second amended complaint.

9         Consequently, on August 2, 2024, the assigned magistrate judge issued findings and  
10 recommendations recommending that this action proceed only on the claims found to be  
11 cognizable in the screening order and that all other claims and named defendants be dismissed  
12 from this action due to Plaintiff’s failure to state a cognizable claim against them. (Doc. No. 19.)  
13 The pending findings and recommendations were served on Plaintiff and contained notice that  
14 any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) To date,  
15 no objections to the pending findings and recommendations have been filed, and the time in  
16 which to do so has now passed.

17         In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
18 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
19 findings and recommendations are supported by the record and by proper analysis.

20         Accordingly,

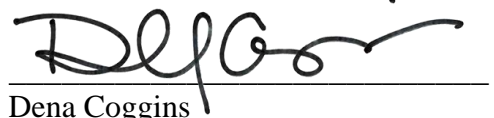
- 21         1. The findings and recommendations issued on August 2, 2024 (Doc. No. 19) are  
22             adopted in full;
- 23         2. This action proceeds only on the following claims brought by Plaintiff in his first  
24             amended complaint: Claim I of retaliation brought against Defendants Powell and  
25             Ahmed, and Claim IV of deliberate indifference brought against Defendants  
26             Richardson and Banks;
- 27         3. All other claims brought by Plaintiff in this action are dismissed;
- 28         4. Defendants Sacramento County Sheriff’s Department; County of Sacramento

Board of Supervisors; Deputy Friedrichs; Lieutenant Braden Culp; Deputy Zakrzewski; Deputy Bonde; and Records Officer Payne are dismissed as named defendants in this action;

5. The Clerk of the Court is directed to update the docket to reflect that Defendants Sacramento County Sheriff's Department; County of Sacramento Board of Supervisors; Deputy Friedrichs; Lieutenant Braden Culp; Deputy Zakrzewski; Deputy Bonde; and Records Officer Payne have been terminated; and
6. This action is referred back to the assigned magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: November 8, 2024

  
Dena Coggins  
United States District Judge